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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,928	10/16/2001	Darren Duane Cofer	1100.1152101 (H0002064)	6322

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EXAMINER

KASSA, YOSEF

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,928

Applicant(s)

COFER ET AL.

Examiner

YOSEF KASSA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 16, 18, 19, 24, 25, 27-31 and 34-45 is/are rejected.
- 7) ☒ Claim(s) 14, 15, 17, 21-23, 32 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, (page 10-15) filed on April 10, 2006, with respect to claims 1-45 under Conrad et al (U.S. Patent 5,465,115).and Sengupta et al (U.S. Patent 6,359,647), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Sengupta et al (U.S. Patent 6,359,647), and further in view of Conrad et al (U.S. Patent 5,465,115).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13, 16, 18, 19, 24, 25, 27-31 and 34-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sengupta et al (U.S. Patent 6,359,647).

With regarding to claim 1, Sengupta discloses monitoring at least a portion of the border region of the area of interest for breach by an object (please refer to col. 4, lines 27-32, camera 105 of Fig. 2, monitor the outside or border for breach by a person) while not monitoring at least part of the interior region of the area of interest (please

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refer to Fig. 2, while camera 105 monitoring the outside or border region, camera 106 is not monitoring inside or interior region, also refer to col. 4, lines 35-42);

Monitoring at least a portion of the interior region of the area of interest for the object after the object breaches the border (please refer to Fig. 2, note that camera 106 monitoring portion of the entrance when a person breaches the entrance or border region). Although, Sengupta reference does not expressly call for the limitation of border region and interior region, it would have been obvious if not inherent, that an ordinary artisan would have interpret the outside area P1, i.e., border region, which monitored or cover by camera 105, and the inside region i.e., interior region, which cover or monitored by camera 106 region P2.

With regarding to claim 2, Sengupta discloses ceasing monitor the interior region of the area of interest after the object leaves the area of interest (please refer to Fig. 2, camera 106 monitor the area after the person leaves the interior region P2); and

continuing to monitor at least a portion of the border region of the area of interest after the object leaves the area of interest (please refer to Fig. 2, camera 105 continue monitoring the area after the person leaves the outside region P1).

With regarding to claim 3, Sengupta discloses wherein the interior region of the area of interest is not monitored until the object no longer breaches the border region of the area of interest (please note that camera 106 monitor P2 region when a person leave the outside region col. 4, lines 35-42).

With regarding to claim 4, Sengupta discloses continuing to monitor at least a portion of the border region to the area of interest while the interior region is being

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monitored (please note that while camera 106 monitor P2 region, camera 105 continue monitoring the outside region col. 4, lines 35-42).

With regarding to claim 5, Sengupta discloses further comprising the step of providing a safety output, i.e., alarm, when the border region is breached by the object (see col. 3, 30-37).

With regarding to claim 6, Sengupta discloses the safety output disables a piece of equipment located in the area of interest (please refer to Fig. 2, sensors 111 and 112, which reads on automatic communicating with the cameras).

Claim 7 is similarly analyzed and rejected the same as claim 6.

With regarding to claim 8, Sengupta discloses wherein the border region comprises a continuous region (please refer to Fig. 2, area monitored by camera 105 comprises a continuous region).

With regarding to claim 9, Sengupta discloses wherein the border region comprises an interrupted region (please refer to the monitored area comprises interrupted region, refer to interrupted lines between camera 103 and camera 106 region).

With regarding to claim 10, Sengupta discloses wherein the area of interest excludes a defined region from its interior (please refer to Fig. 2, which reads on camera 105 monitors only the outside region).

Claim 11 similarly analyzed and rejected the same as claims 1.

With regarding to claim 12, Sengupta discloses wherein the one or more border region include a reference marking (please refer to Fig. 2, the region monitored by the cameras have reference lines, i.e., marking,).

Claims 13 and 16 are similarly analyzed and rejected the same as claim 12.

With regarding to claim 18, Sengupta discloses further comprising the step of storing the capture image when an object has entered the area of interest (please refer to Fig. 1, item 106 database).

Claim 19 similarly analyzed and rejected the same as claims 18.

Claim 24 is similarly analyzed and rejected the same as claim 1.

With regarding to claim 25, Sengupta discloses wherein the image capturing devices are video cameras (see col. 3, lines 8-12).

Claims 27, 28, 31 and 36 are similarly analyzed and rejected the same as claims 1-9.

With regard to claim 29, Sengupta discloses wherein the image capturing means includes a single image capture device (please refer to Fig. 2, the person captures by a single camera).

Claim 30 similarly analyzed and rejected the same as claim 2.

With regarding to claim 34, Sengupta discloses wherein the interior region is defined to include the border region (please refer to Fig. 2, P1 and P2 included by the line).

With regarding to claim 35, Sengupta discloses wherein the interior region is defined to exclude the border region (please refer to Fig. 2, camera 105 region and camera 106 region excluded by the line).

Claim 37 similarly analyzed and rejected the same as claim 29.

With regarding to claim 38, Sengupta discloses wherein the border and/or interior regions of the first and second region are selectively monitored (please refer to Fig. 2, the all cameras selectively monitoring the area).

With regarding to claim 39, Sengupta discloses wherein the border and/or interior region of the first region are monitored and the border and/or interior region of the second region are not monitored (please refer to Fig. 2, while camera 105 monitoring the outside region, camera 106 is not monitoring the inside region).

With regarding to claim 40, Sengupta discloses wherein the border and/or interior region of the first region are monitored and the border and/or interior region of the second region are also monitored (please refer to col. 4, lines 27-45).

With regarding to claim 41, Sengupta discloses wherein the border and/or interior region of the first region are not monitored and the border and/or interior region of the second region are not monitored (please refer to col. 4, lines 8-13).

Claim 42 is similarly analyzed and rejected the same as claim 1.

Claim 43 is similarly analyzed and rejected the same as claim 36.

Claims 44 and 45 are similarly analyzed and rejected the same as claim 1.

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sengupta et al (U.S. Patent 6,359,647), and further in view of Conrad et al (U.S. Patent 5,465,115).

With regarding to claim 26, Sengupta is fail to discloses the image capturing devices are digital cameras. However, at the same field of endeavor, Conrad discloses this feature (please refer to col. 3, lines 17-25). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Conrad image pickup system into Sengupta system. The suggestion/motivation for doing so would have been to provide a digital image pickup and digital image storing process (please refer to col. 3, line 25-33 of Conrad). Therefore, it would have been obvious to combine Conrad with Sengupta to obtain the invention as specified in claim 26.

Allowable Subject Matter

4. Claims 14, 15, 17, 21-23, 32 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art Cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (6285394), (6052052), (654481) and (4408224).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (571) 272-7452. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JINGGE WU can be reached on (571) 272-7429. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communication and (571) 273-8300 for after Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PATENT EXAMINER

Yosef Kassa



06/19/06.